

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: ) Group Art Unit:

CHAVEZ et al. )

Examiner: )

Serial No.: Not Yet Assigned )

INFORMATION DISCLOSURE STATEMENT

Filed: Herewith )

Atty. File No.: 4366-136 )

For: "INSTANT MESSAGING TO AND  
FROM PBX STATIONS" )"EXPRESS MAIL" MAILING LABEL NUMBER: EK778146767US  
DATE OF DEPOSIT: 7/14/03I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
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TYPED OR PRINTED NAME: Amy S. Duarte

SIGNATURE: 

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:

☒ Are enclosed herewith.☐ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were  
submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_,  
which is relied upon for an earlier filing date under 35 U.S.C. § 120.☐ To the best of applicants' belief, the pertinence of the foreign-language references are  
believed to be summarized in the attached English abstracts and in the figures, although applicants do not  
necessarily vouch for the accuracy of the translation.☒ Examiner's attention is drawn to the following co-pending applications, copies of which have  
been or are being submitted:

Serial No. 10/370,845 filed February 21, 2003 to Boyle et al. (Atty. No. 4366-115).

Serial No. 10/387,112 filed March 11, 2003 to Milton (Atty. No. 4366-126).

☐ Other: \_\_\_\_\_

Submission of the above information is not intended as an admission that any item is citable under the  
statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in  
the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should  
an inference be drawn as to the pertinence of the references based on the order in which they are presented.

Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

### FEES

<input checked="" type="checkbox"/>	<p><b>37 CFR 1.97(b):</b> No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <div style="margin-left: 40px;"> <input checked="" type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or  <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or  <input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or  <input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.         </div> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p><b>37 CFR 1.97(c):</b> The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <div style="margin-left: 40px;">           (1) a final action under 37 C.F.R. 1.113 or            (2) a notice of allowance under 37 C.F.R. 1.311, or            (3) an action that otherwise closes prosecution in the application.         </div> <p>This Information Disclosure Statement is accompanied by:</p> <div style="margin-left: 40px;"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.         </div> <p style="text-align: center;">OR</p> <div style="margin-left: 40px;"> <input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.         </div>
<input type="checkbox"/>	<p><b>37 CFR 1.97(d):</b> This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <div style="margin-left: 40px;"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)         </div> <p style="text-align: center;">AND</p> <div style="margin-left: 40px;"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.         </div>

**Certification (37 C.F.R. 1.97(e))**

(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Douglas W. Swartz

Registration No. 37,739

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(303) 863-9700

Date: July 14, 2003

J.M. PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
4366-136SERIAL NO.  
Not Yet AssignedINFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)APPLICANT  
CHAVEZ et al.FILING DATE  
Herewith

GROUP ART

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	AA	5,404,395	04/04/95	Bogart et al.	379	201	
	AB	2003/0016811	01/23/03	Milton	379	245	07/18/01
	AC	2003/0016810	01/23/03	Milton	379	242	07/18/01
	AD	10/370,845		Boyle et al.			02/21/03
	AE	10/387,112		Milton			03/11/03

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	AF	Avaya Inc.'s "Multivantage™ Software: Product Summary" at <a href="http://www.avaya.com/ac/common/index.html?location=M1H1005G1002F2013P3042N4292">http://www.avaya.com/ac/common/index.html?location=M1H1005G1002F2013P3042N4292</a> (printed 11/20/02).
	AG	Avaya Inc.'s "EC500 Key Features" at <a href="http://www.avaya.com/ac/common/index.html?location=M1H1005G1015F2062P3142N4988">http://www.avaya.com/ac/common/index.html?location=M1H1005G1015F2062P3142N4988</a> (printed 11/20/02).
	AH	Avaya Inc.'s "EC500: Product Summary" at <a href="http://www.avaya.com/ac/common/index.html?location=M1H1005G1015F2062P3142N4986">http://www.avaya.com/ac/common/index.html?location=M1H1005G1015F2062P3142N4986</a> (printed 11/20/02).

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449

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Herewith

GROUP ART

AI	"IP LAN Telephony: the Technology Migration Imperative" Avaya Executive Briefing Paper (February 2002), pp. 1-21.
AJ	"Avaya Announces New Enterprise Class IP Solutions (ECLIPS)" Communication without Boundaries (2002).
AK	David Chavez et al., "Avaya MultiVantage™ Software: Adapting Proven Call Processing for the Transition to Converged IP Networks," Communication without Boundaries (August 2002).
AL	"SIP (Session Initiation Protocol) in Enterprise-Class IP Telephony Networks," Communication without Boundaries (2002).
AM	Avaya Communications, "EC500 Extension to Cellular, Release 2, User's Guide," Issue 1 (July 2001).
AN	Avaya, "EC500 Extension to Cellular, Release 3, User's Guide," Issue 2 (January 2002).
AO	Avaya, "EC500 Extension to Cellular, Release 3 and Release 4, User's Guide," Issue 3 (August 2002).
AP	Avaya, "EC500 Extension to Cellular, Release 4, User's Guide," Issue 4 (August 2002).
AQ	Lucent Technologies, "6408+, 6408D+, 6416D+M, 6424D+, and 6424D+M Telephones User's Guide," Issue 3, April 1999, pp. 1-28.
AR	Aim Wireless, "Learn How to Type Using Your Phone," March 13, 2003, available at <a href="http://www.aim.com/wireless/typing_messages.htm">http://www.aim.com/wireless/typing_messages.htm</a> , 3 pages.

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